

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-7438

JOEL WATKINS FULP,

Plaintiff - Appellant,

versus

MECKLENBURG COUNTY JAIL,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Walter D. Kelley, Jr., District Judge. (CA-05-362-2)

Submitted: October 20, 2005

Decided: October 31, 2005

Before NIEMEYER and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Joel Watkins Fulp, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Joel Watkins Fulp appeals from the district court's order dismissing his 42 U.S.C. § 1983 (2000) action for failure to comply with its order to file a supplemental complaint to cure the defects in the original complaint. Because Fulp may cure the defect in his complaint by filing a supplemental complaint in accordance with the district court's order, the dismissal is not appealable. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Accordingly, we dismiss the appeal for lack of jurisdiction. We further deny Fulp's motion to amend caption. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED